

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**HELEN MOODY and CATHERINE)
KEATON,)**

Plaintiff,)

v.)

Case No. 2:07-cv-318-A

**LOWE'S HOME CENTERS, INC.,)
ALLSTATE INSURANCE)
COMPANY, and SHAWN DEE)
THORNTON,)**

Defendants.)

MOTION TO COMPEL

COMES NOW Defendant Lowe's Home Centers, Inc., and hereby moves this Court for an Order compelling the Plaintiffs Helen Moody and Catherine Keaton to respond to outstanding discovery. As grounds therefore, the Defendants state as follows.

1. Interrogatories and Requests for Production were filed by the Defendant on or about May 29, 2007.

2. More than three months have elapsed since the filing of said discovery. As such, the responses to discovery are now overdue.

3. The Defendant has made non-judicial efforts to obtain said discovery.

4. To date, the Plaintiffs have failed and/or refused to respond to said requests.

5. The Defendant is in need of responses to discovery to properly defend the above referenced case.

WHEREFORE, the Defendant respectfully requests that this Court enter an Order compelling the Plaintiffs to respond to said discovery within 14 days, or any other such time as the Court may deem appropriate.

Respectfully submitted,

s/JOSEPH E. STOTT

ASB-4163-T71J

Attorney for Defendant Lowe's Home Centers, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that I have on August 10, 2007 served a copy of the foregoing on the following attorneys of record via Efile and/or by placing a copy of same in the U.S. Mail:

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s/Joseph E. Stott

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